REMARKS/ARGUMENTS

Claim Amendments

The Applicant has amended no claims. Accordingly, claims 1-16 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Claim Rejections – 35 U.S.C. § 103 (a)

Claims 1-7 and 9-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Champagne (US 7,310,730B1) in view of Voit (US 6,798,751B1). The Applicant respectfully traverses the rejection of these claims.

In MPEP 706.7 under the STATEMENT OF GROUNDS heading it is stated: "However, where a single previous Office action contains a complete statement of a ground of rejection, the final rejection may refer to such a statement <u>and also should include a rebuttal of any arguments raised in the applicant's reply</u> (MPEP 706.7). Since the Examiner did not include a rebuttal of any of the Applicant's arguments presented in response to the previous, non-final Office Action the Applicant respectfully requests a response, as required by the MPEP, from the Examiner to the Applicant's arguments. And, with the exception of claim 8, the Examiner has provided the exact same language used in rejecting the claims in the first, non-final Office Action. In your response to the Applicant's arguments in this Office Action, the Applicant respectfully requests that the Examiner consider the arguments presented in the previous response to non-final and the arguments in this response.

With respect to the rejection of independent claims 1, 15 and 16, the Champagne reference discloses a solution for providing a first connection for transporting private data and a second connection for distributing <u>broadcast</u> data. Both the first and the second connection are established between a network node 202 and the users (116A...). Both connections are for sending content data.

In the present invention there is a "first" connection between the streaming server and the intermediate node and a second connection between the intermediate node and the users. The first connection is a point to point connection (a single user on-demand

signaling) and the second connection is a point to multipoint connection (multi-user push signaling).

In Champagne it is clear that a point to multipoint connection is available between the broadcast server 102 and the network node 202. Thus, in Champagne an on-demand single user signaling between broadcast server 102 and the network node 202 is <u>NOT</u> disclosed and therefore any translation between the on-demand single user signaling and multi-user push signaling obviously can not be disclosed.

The Examiner argues (p.4 of the FOA) that an ISP could store a broadcast event to send it to the individual users via uni-cast connection. The Applicant appreciates the acknowledgment by the Examiner that the received data in Champagne is broadcast data. Since the received data is broadcast data it is not necessary to translate a streaming transmission, based on <u>single user signaling</u>, into a streaming transmission based on <u>multi-user push signaling</u>. As disclosed in the present invention the multi-user push signaling may be based on uni-cast or multi-cast. Since the single user signaling versus multi-user push signaling is not considered in Champagne, no adaptation and replication features are disclosed as they are described in the present invention. As previously stated, the Champagne reference does not disclose use of a combination multicast and streaming node, sending a single stream to the combination node at which it is then translated into push signaling for multicast <u>groups</u>, and each of the multicast streams accommodating a particular multicast group.

The Voit reference is cited for disclosing adapting a received streaming flow to the multicast transmission according to the needs of a multicast group. The Applicant respectfully submits that even though Voit discloses a subscriber joining a multicast channel, Voit does not disclose a combination multicast - streaming node or sending a single stream to the combination node where the streams are translated to accommodate each of the requesting multicast groups. This being the case, the Applicant respectfully submits that neither Champagne nor Voit or a combination of the Champagne and Voit references teaches or suggests the novel elements of claim 1 and analogous claims 15 and 16. This being the case, the Applicant respectfully requests allowance of claims 1, 15 and 16.

Claims 2-7 and 9-14 depend from claim 1 and recite further limitations in combination with the novel elements of claim 1. Therefore, the allowance of claims 2-7 and 9-14 is also respectfully requested.

Claims 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Champagne (US 7,310,730B1) in view of Voit (US 6,798,751B1) and further in view of Cannon (US 6,014,706). The Applicant respectfully traverses the rejection of these claims.
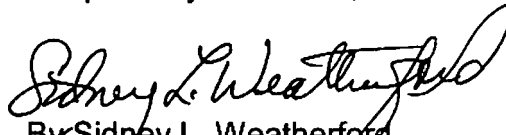
As described above neither Champagne nor Voit nor Cannon disclose, individually or in combination, the limitations of independent claim 1 and in particular the Cannon reference fails to disclose the limitations missing from the Voit and Champagne references. This being the case, the Applicant respectfully requests allowance of claim 8.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

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Date: October 2, 2008

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